

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MIGUEL RIVERA-SANTIAGO
Petitioner

v.

UNITED STATES OF AMERICA
Respondent

CIVIL NO. 97-1557 (RLA)

UNITED STATES' MODIFICATION TO TRIAL BRIEF

TO THE HONORABLE COURT:

COMES NOW the United States of America, by and through the undersigned attorneys, and very respectfully states and prays as follows:

On April 29, 2005, the United States filed a trial brief as requested by this Court. Thereafter, the petitioner filed his trial brief. Upon reviewing petitioner's trial brief including the notified documentary evidence and witnesses, the United States hereby notify this Court and the petitioner that its brief should be modified as follows:

a. Assistant U. S Attorney Edwin O. Vazquez will not be a witness on behalf of the United States on said hearing. He will represent the United States. Therefore, as of the filing of this pleading and in consideration of the witnesses subpoenaed by petitioner, the United States does not intend to present any witness.

b. The United States intends to use at the hearing the following documentary evidence: Affidavit of Petitioner, dated November 19, 1998; Petitioner's Presentence Investigation Report; Docket Report Notes, dated March 6, 1992, regarding legal representation; and attorneys' appearance forms or motions.

Although this documentary evidence is part of the record in Criminal No. 91-397 (RLA),

and should be in the possession of petitioner, the United States will make copies of such documents and will the same to counsel for defendant tomorrow.

WHEREFORE, the United States respectfully request that the modification of the trial brief be noted.

____ RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 3rd day of May, 2005.

H.S. GARCIA
United States Attorney

s/EDWIN O. VÁZQUEZ-BERRIOS
Assistant United States Attorney
U.S.D.C. No. 201512
United States Attorney's Office
Torre Chardón, Suite 1201
350 Carlos Chardón Street
San Juan, Puerto Rico 00918
edwin.vazquez@usdoj.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 3, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and will be electronically notified to counsel Rafael Anglada and is available for viewing and downloading from the Court's CM/ECF system by him.

s/EDWIN O. VÁZQUEZ-BERRIOS
Assistant United States Attorney
